

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Gbenga Akinnola,

Civil No. 14-1269 (DWF/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Hennepin County and Mamie Jegbadai,

Defendants.

This matter is before the Court upon Plaintiff Gbenga Akinnola's ("Plaintiff") objections (Doc. No. 7) to Magistrate Judge Steven E. Rau's May 19, 2014 Report and Recommendation (Doc. No. 5) insofar as it recommends that this action be dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of the parties, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections. Having carefully reviewed the record, the Court concludes that Plaintiff's objections offer no basis for departure from the Report and Recommendation.

Plaintiff appears to generally object to the Magistrate Judge's recommendation that this case be summarily dismissed. (*See generally* Doc. No. 7.) The undersigned agrees with the Magistrate Judge's determination that Plaintiff's Complaint fails to state a

valid claim. (*See* Doc. No. 5 at 2-5.) The Court has also reviewed Plaintiff's additional filings. Even taking into consideration the additional allegations contained within Plaintiff's Amended Complaint (Doc. No. 4) and proposed Second Amended Complaint (Doc. No. 6-1), Plaintiff's Complaint would still not survive a motion to dismiss for the reasons stated in the Report and Recommendation. (*See id.*) The Court thus concludes, as did Magistrate Judge Rau, that Plaintiff has failed to assert a plausible claim against Defendants. Consequently, the Court dismisses this matter.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Gbenga Akinnola's objections (Doc. No. [7]) to Magistrate Judge Steven E. Rau's May 19, 2014 Report and Recommendation are **OVERRULED**.

2. Magistrate Judge Steven E. Rau's May 19, 2014 Report and Recommendation (Doc. No. [5]) is **ADOPTED**.

4. This action is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

5. Plaintiff's application for leave to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED AS MOOT**.

6. Plaintiff's Motion to Amend Complaint (Doc. No. [6]) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 27, 2014

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge